

LUM, DRASCO & POSITAN LLC

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Attorneys for Defendant, Redflex Traffic Systems, Inc.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DAVID SPECTOR and HENRY : Civil Case No.
ANDERSON, on behalf of themselves and
all others similarly situated, :

Plaintiff, :

-vs- :

NOTICE OF REMOVAL

CHERRY HILL TOWNSHIP and : *Document Filed Electronically*
REDFLEX TRAFFIC SYSTEMS, INC., :

Defendants.

TO: William T. Walsh, Clerk
UNITED STATES DISTRICT COURT
MLK Jr. Federal Building and Courthouse
50 Walnut Street
Newark, New Jersey 07102

SUPERIOR COURT OF NEW JERSEY
Hughes Justice Complex
25 W. Market Street
P.O. Box 971
Trenton, NJ 08625

SUPERIOR COURT OF NEW JERSEY, LAW DIVISION
Camden County Hall of Justice
101 S. 5th Street
Camden, NJ 08103

SHABEL & DeNITTIS, PC
5 Greentree Centre, Suite 302
Route 73 South & Lincoln Drive
Marlton, NJ 08053

Jeffrey R. Johnson, Esq.
BROWN & CONNERY
360 Haddon Avenue, P.O. Box 539
Westmont, NJ 08108

PLEASE TAKE NOTICE that in accordance with 28 U.S.C. §§1441, defendant, Redflex Traffic Systems, Inc. (“Redflex”), respectfully requests that this Court remove the above-entitled action from the Superior Court of New Jersey, Law Division, Camden County, to the United States District Court for the District of New Jersey, and in support thereof, states the following:

1. On or about June 29, 2012, plaintiffs, Davis Spector and Henry Anderson (“Plaintiffs”), commenced the above action by filing a Class Action Complaint in the Superior Court of New Jersey, Law Division, Camden County, Docket No. CAM-L-2935-12. (A true copy of the Class Action Complaint is attached hereto as Exhibit “A”). In the original Complaint, the sole defendant was Cherry Hill Township.

2. On or about July 19, 2012, Plaintiffs filed an Amended Class Action Complaint which added Redflex as a defendant to the action. (Attached hereto as Exhibit "B" is a true copy of the Amended Class Action Complaint)..

3. On or about July 19, 2012, defendant, Redflex Traffic Systems, Inc. ("Redflex"), was served with a summons and Amended Class Action Complaint in this action.

4. Pursuant to 28 U.S.C. §1446(b)(1), the instant Notice of Removal is filed within 30 days of service of the Summons and Amended Complaint upon Redflex.

5. Pursuant to 28 U.S.C. §1446(b)(2)(C), defendant, Cherry Hill Township, has consented to the removal of this action to the United States District Court for the District of New Jersey. (Attached hereto as Exhibit "C" is a true copy of Cherry Hill Township Consent to Removal).

6. This Court has original subject matter jurisdiction over this action pursuant to 28 U.S.C. §1331 by virtue of the fact that this is a civil action in which the Plaintiffs allege a cause of action involve a federal question and which arises under 28 U.S.C. §1983 which is part of the Civil Rights Act of 1871.

7. No previous petition or notice has been made for the relief sought herein.

8. Pursuant to 28 U.S.C. §1446(d) promptly upon the filing of this Notice for Removal, Defendant will give written notice thereof to Plaintiffs and all other parties and will file a copy of this Notice of Removal with the Clerk of the Superior Court of New Jersey, Law Division.

WHEREFORE, Defendant Redflex, requests that this Court accept and approve this Notice of Removal submitted herewith, that this action be removed to the United States District Court for the District of New Jersey from the Superior Court of New Jersey, Law Division,

Camden County, in accordance with 28 U.S.C. §1441, and that this Court grant such other relief as the Court deems equitable and just.

LUM, DRASCO & POSITAN LLC

Attorney for Defendants, Redflex Traffic Systems, Inc.

/s/ Dennis J. Drasco

DENNIS J. DRASCO

DATED: August 17, 2012

CERTIFICATION OF SERVICE AND FILING

I hereby certify and declare as follows:

1. On August 17 2012, the undersigned caused a true copy of the Notice of Removal to be sent via Federal Express for filing with the Clerk of the Superior Court of New Jersey, Hughes Justice Complex, Trenton, NJ 08625 and with the Superior Court Clerk's office in Camden County.

2. On August 17, 2012, the undersigned caused a true copy of the Notice of Removal to be sent via Federal Express for overnight delivery to counsel for Plaintiff at the following address:

SHABEL & DeNITTIS, PC
5 Greentree Centre, Suite 302
Route 73 South & Lincoln Drive
Marlton, NJ 08053

3. On August 17, 2012, I cause true copies of the Notice of Removal to be served upon to be sent via Federal Express for overnight delivery to counsel for Defendant, Cherry Hill Township, at the following address:

Jeffrey R. Johnson, Esq.
BROWN & CONNERY
360 Haddon Avenue, P.O. Box 539
Westmont, NJ 08108

/s/ Kevin J. O'Connor _____